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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION OF:

Applicant:	<b>Yoshinobu Kitajima et al.</b>	)	
		)	
Serial No.:	<b>10/743,826</b>	)	Art Unit: <b>1651</b>
		)	
Filing Date:	<b>December 24, 2003</b>	)	Examiner: <b>Marx, Irene</b>
		)	
Title:	<b>METHOD FOR INCUBATING</b>	)	Customer No.: <b>38598</b>
	<b>PLEUROTUS NEBRODENSIS AND</b>	)	
	<b>DISEASE PREVENTING/TREATING</b>	)	
	<b>AGENTS FROM PLEUROTUS</b>	)	
	<b>NEBRODENSIS</b>	)	
		)	
Atty Dkt		)	<hr/> July 20, 2006
No.:	<b>26170-168120</b>	)	
	<b>(formerly 36427-199621)</b>	)	

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Mail Stop Non-Fee Amendment

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Office Action dated June 22, 2006, Applicants hereby respond to the Restriction Requirement by election Group V, Claims 15-16 drawn to a composition of *Pleurotus nebrodensis*, classified in Class 435, subclass 254.1, with traverse. In particular, in this restriction order, claims 17 and 18 are omitted. Claim 17 depends on claim 15, which should be grouped together with claims 15-16. Applicants therefore respectfully requested that Group V of this Restriction to include claims 17.

Additionally, Applicants would like to reserve their rights for rejoining the process claims upon the allowance of the product claims 15-17 in accordance with MPEP §821.04.

It is respectfully submitted that this application is now in condition for examination on the merits, and early action and allowance thereof is accordingly requested. Should there

be any questions, the Examiner is requested to contact the undersigned attorney for further discussion.

Respectfully submitted,

Date: July 20, 2006

  
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